

ment, promotion, advertisement, character and management of such an Exposition; shall gather general available information, data and facts both in the United States and from foreign countries, which may be of value to the Legislature in determining whether the State of Texas shall hold a Centennial celebration (in the City of Austin) in 1936, commemorating the Independence of Texas and its one hundred years of achievement, and the character, magnitude and cost of such Exposition. Said Committee is given full authority and is directed to gather any and all data which may be of value to the Legislature in determining the scope, kind, character and cost of such Exposition. Said Committee shall cause all data, material and matters gathered by it to be properly arranged and filed in concise form and shall have such of it printed in pamphlet form as to said Committee may be deemed advisable for a complete understanding thereof, at least one thousand copies thereof to be delivered to the Legislature along with its report. Said Committee, in addition to the printed matter above referred to, shall make suggestions and recommendations to the Legislature in detail, touching the scope, character, nature, cost plans for financing, etc., of such Exposition, which suggestions, recommendations and report shall also be printed in said pamphlet.

Sec. 5. Said Committee shall make a full report of its activities and accomplishments, suggestions recommendations and file the printed matter referred to in Section 4 hereof, to and with the Forty-third Legislature when it convenes on the second Tuesday in January, 1933, so that the Legislature may then determine whether a Texas Centennial Exposition shall be held, and if so, the character of such Exposition.

Sec. 6. For the purpose of carrying out the provisions of this Act there is hereby appropriated out of the general revenues of the State of Texas, not otherwise appropriated, the sum of Fifty Thousand (\$50,000.00) Dollars, or so much thereof as may be necessary. All moneys paid out pursuant to this Act shall be upon vouchers attested by the Secretary of the Committee and signed by the President thereof,

a detailed report of which properly audited shall accompany the report of said Committee to the Legislature.

Sec. 7. The fact that there is a general desire and purpose among the people of Texas to hold such an Exposition as hereinbefore set out, and the purposes therein stated, in 1936, and the further fact that the data above described is necessary to an intelligent preparation for the holding of such Exposition, and that the time is short in which the same may be granted, all create an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days in each House, and the rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

SIXTY-THIRD DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
May 1, 1931.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

House Bill No. 336.

The question recurred on the pending amendment to the amendment to H. B. No. 336.

The amendment and the amendment to the amendment were withdrawn.

Senator Holbrook sent up the following amendment:

Amend H. B. No. 336 by striking out of the bill all of the amendment heretofore sent up by the Senator from Dallas, which amendment was signed jointly by the Senators from Dallas and Collingsworth, and which was adopted by a viva voce vote of the Senate.

HOLBROOK.

The amendment was read.

Senator Purl raised the point of order that the amendment was out of order because a previous motion to reconsider his amendment had previously been defeated.

The Chair, Lieutenant Governor

Edgar E. Witt, sustained the point of order.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 336 by inserting between lines 11 and 12, page 4 of the printed bill, the following, to be known as Section 8a, Section 8b, Section 8c, Section 8d, Section 8e, and Section 8f, respectively:

"Sec. 8a. Declaration of Policy. The operation of cotton trucks over the public highways and public roads of the State of Texas at the present time has resulted in an unusual and an appalling loss of life of travelers upon the public roads and public highways of the State, has resulted in unwarranted destruction of the public highways of this State, has resulted in unwarranted and dangerous traffic congestion, has created an unusual and unwarranted traffic menace upon the public highways and public roads of the State, has created an unreasonable and unwarranted fire hazard upon the public roads and public highways and public roads of the State, has made difficult and almost impossible the establishing and maintaining of a coordinated use of the highways by the general traveling public. It is declared to be the public policy of this State not to permit any one kind or character of truck traffic to be conducted upon the public highways and public roads of the State in such a manner as unreasonably to interfere with and unreasonably to make dangerous the use of the highways by the general traveling public in a reasonable and safe manner, or unreasonably to destroy such highways, and in order to guard against the dangers above mentioned this law is enacted.

Sec. 8b. It shall hereafter be unlawful for any person, firm, corporation, or association of persons to operate or cause to be operated over the public highways of this State any vehicle or combination of vehicles carrying, singly or collectively, a load of more than ten bales of cotton unless all of the bales of cotton carried in or on any such load shall have been compressed to a density of twenty-two (22) pounds per cubic foot or greater.

Sec. 8c. It shall hereafter be unlawful for any person, firm, corpora-

tion, or association of persons to operate or cause to be operated any vehicle or combination of vehicles carrying singly or collectively a load of more than ten square bales of compressed cotton or more than twenty round bales of compressed cotton for a distance of greater than fifteen miles over the public roads and public highways of this State, unless said vehicle or combination of vehicles shall be equipped with a Van type body or bodies constructed so as to completely enclose the load or loads carried thereon from the top, bottom, sides, and ends, and unless all the floors, tops, sides, and ends of such vehicle, or combination of vehicles, so enclosing such load or loads, shall be entirely constructed of wood, not less than one and one-half inches thick, or of iron, or of steel, or of a combination of such wood and/or iron and/or steel, to protect the load or loads from being spilled upon the roads or highways.

Sec. 8d. The provisions of this Act shall not apply to the operation of vehicles or combinations of vehicles within an incorporated city or town in this State.

Sec. 8e. Any person, association of persons, or corporation violating any provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) and each day such vehicle or combination of vehicles is operated contrary to the provisions of this Act shall constitute a separate offense.

Sec. 8f. If any part of this Act shall be declared unconstitutional by the courts, such holding shall not affect the remaining portions of the Act.

RAWLINGS.

The amendment was read.

Senator Woodul sent up the following amendment to the amendment:

Amend pending Rawlings amendment by striking out subsection 8a and renumbering subsections accordingly.

WOODUL.

Read and lost by the following vote:

Yeas—13.

Beck.	Patton.
Berkeley.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Martin.	Thomason.
Neal.	Woodul.
Parr.	

Nays—14.

Cunningham.	Oneal.
DeBerry.	Parrish.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodward.

Absent.

Cousins.	Poage.
Gainer.	

Absent—Excused.

Pollard.

The amendment was lost by the following vote:

Yeas—11.

Cunningham.	Parrish.
DeBerry.	Purl.
Holbrook.	Rawlings.
Hornsby.	Williamson.
Loy.	Woodruff.
Oneal.	

Nays—17.

Beck.	Parr.
Berkeley.	Patton.
Cousins.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Hopkins.	Thomason.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Gainer.	Poage.
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Absent—Excused.

Pollard.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 336 by striking out line 20, page 3, and inserting in lieu thereof the following:

"10,000 pounds on any such vehicle singly or of a train or combination of vehicles."

RAWLINGS.

The amendment was read.

Senator Woodul moved to table the amendment. The motion prevailed by the following vote:

Yeas—22.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
DeBerry.	Poage.
Gainer.	Purl.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Loy.	Thomason.
Martin.	Woodul.
Moore.	Woodward.

Nays—5.

Cunningham.	Williamson.
Parrish.	Woodruff.
Rawlings.	

Absent—Excused.

Greer.	Patton.
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(Pairs Recorded.)

Senator Hornsby (present) who would vote nay, with Senator Pollard (absent) who would vote yea.

Senator Poage sent up the following amendment:

Amend H. B. No. 336, Sec. 5, page 3, by striking out the words "Seven Thousand" in line 19 and the figures in line 20 ("7,000") and insert in lieu thereof line 19, words "Ten Thousand," and in line 20 the figures "(10,000)."

**POAGE,
LOY.**

The amendment was read.

Recess.

On motion of Senator Purl, the Senate, at 12 noon, recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Executive Session Set.

On motion of Senator Woodul, the Senate voted to go into executive session tomorrow morning at 11:55 o'clock.

House Bill Re-referred.

On motion of Senator Moore, H. B. No. 331 was withdrawn from the

Committee on State Affairs and referred to the Committee on Civil Jurisprudence.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

S. B. No. 359. S. C. R. No. 43.
S. C. R. No. 41. H. B. No. 397.
H. B. No. 36. S. C. R. No. 44.

H. C. R. No. 53.

The Chair laid before the Senate, by unanimous consent:

H. C. R. No. 53, Relating to Soil and Water Conservation Week.

Read and adopted.

Senate Bill No. 539.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Senator Russek:

S. B. No. 539, A bill to be entitled "An Act to create Road District No. 12 of Fayette County, Texas; conferring powers, privileges and duties generally conferred upon such districts; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Russek, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 539 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Pollard.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Pollard.

Bills Introduced.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Moore:

S. B. No. 614, A bill to be entitled "An Act making an appropriation out of the general revenue of the State of Texas, not otherwise appropriated, as an emergency to continue the work of tuberculin tests of cattle, etc., and declaring an emergency."

Read and referred to Committee on Finance.

Senate Bill No. 614.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Senator Moore:

S. B. No. 614, A bill to be entitled "An Act making an appropriation out of the general revenue of the State of Texas, not otherwise appropriated, as an emergency to continue the work of tuberculin tests of cattle, etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended unanimously.

The committee report was adopted. On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 614 was put on its second reading by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Pollard.

The bill was read second time and passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 614 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Pollard.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Patton.
Hardin.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.

Absent—Excused.

Pollard.

Simple Resolution No. 127.

Senator Hornsby sent up the following resolution:

Whereas Miss Bess Olson, of Cisco, Texas, the retiring president, and Miss Helen Donovan of Houston, Texas, the new president of the Orange Jacket Club of the University of Texas, with the following members:

Dorothy Watts, Austin.
 Marilla Masterson, San Antonio.
 Hermasella Braden, Columbus.
 Mary Grace Milam, Seymour.
 Frances Laughlin, Del Rio.
 Louise Robinson, Portales, N. Mex.
 Carolyn Cason, Cleburne.
 Betty Bundy, Roosevelt.
 Alice Root, Austin.
 Emma V. Decherd, Austin.
 Frances Fry, Fort Worth.
 Julia Newton, San Antonio.
 Bertha Humbert, College Station.
 Ruth Leslie, Bonham.
 Natalie Levin, Dallas.
 Maiella Appelby, Goliad.
 Anamary Davis, Alvin.
 Eliabeth Green, San Antonio.
 Katherine Marshall, Quanah.
 Margaret Vaughn, Austin.
 Marie Wessendorf, Richmond.
 Zula Williams, San Antonio.

are now visiting in the Senate Chamber, and

Whereas, This organization is one of the most active and efficient in the University, having been especially cordial and gracious in helping to entertain the members of the Legislature during the recent "Round-Up" celebration, barbecue and rodeo; therefore be it

Resolved by the Senate of Texas, That they be accorded a cordial welcome and the privileges of the floor as guests of the State Senate.

HORNSBY.

Read and adopted.

The Chair introduced Senator Hornsby who introduced Miss Helen Donovan of the Orange Jacket Club. Miss Donovan briefly addressed the Senate.

House Bill No. 336.

The question recurred upon the pending amendment to H. B. No. 336. The amendment was lost by the following vote:

Yeas—8.

Cousins.	Parrish.
Cunningham.	Poage.
Loy.	Rawlings.
Oneal.	Williamson.

Nays—21.

Beck.	Parr.
Berkeley.	Patton.
DeBerry.	Purl.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

(Pair Recorded.)

Senator Hornsby (present) who would vote yea, with Senator Pollard (absent) who would vote nay.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 336 by striking out line 20, page 3, and inserting in lieu thereof the following:

"Eight thousand (8,000) pounds on any such vehicle and not more than six thousand (6,000) pounds on any trailer drawn thereby, and not more than one trailer shall be included in such train or combination of vehicles."

RAWLINGS.

The amendment was read and, on motion of Senator Woodul, tabled.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 336 by striking out line 20, page 3, and inserting in lieu thereof the following:

"Seven thousand (7,000) pounds on any such vehicle, and not more than six thousand (6,000) pounds on any trailer drawn thereby, and not more than one trailer shall be

included in such train a combination of vehicles."

RAWLINGS.

Read and, on motion of Senator Woodul, tabled by the following vote:

Yeas—17.

Beck.	Neal.
DeBerry.	Parr.
Gainer.	Patton.
Greer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Woodul.
Martin.	Woodward.
Moore.	

Nays—12.

Berkeley.	Poage.
Cousins.	Purl.
Cunningham.	Rawlings.
Loy.	Small.
Oneal.	Williamson.
Parrish.	Woodruff.

(Pair Recorded.)

Senator Hornsby (present) who would vote nay, with Senator Pollard (absent) who would vote yea.

Senator Williamson sent up the following amendment:

Amend H. B. No. 336 by striking out all of line 19, Section 5, after the word "with" and the figures "seven (7,000) thousand," in line 20, and insert in lieu thereof the following:

"A gross load exceeding twenty thousand (20,000) pounds," and strike out the word "commercial" in line 1 of Section 5.

WILLIAMSON.

Read and lost by the following vote:

Yeas—9.

Cunningham.	Purl.
Loy.	Rawlings.
Oneal.	Williamson.
Parrish.	Woodruff.
Poage.	

Nays—21.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Woodul.
Martin.	Woodward.

(Pair Recorded.)

Senator Hornsby (present) who would vote yea, with Senator Pollard (absent) who would vote nay.

Senator Hornsby sent up the following amendment:

Amend the pending bill by striking out "7,000 pounds" wherever it appears and insert in lieu thereof in each instance "5,000 pounds."

HORNSBY,
PARRISH.

Read and lost by the following vote:

Yeas—8.

Hardin.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Parrish.	Woodruff.

Nays—22.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hopkins.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodward.

Absent—Excused.

Pollard.

REASON FOR VOTE.

I am voting for the Hornsby amendment for the reason it shows the fallacy of the bill as being passed by its proponents.

PARRISH.

Senator Parrish sent up the following amendment:

Amend H. B. No. 336 by adding a new section to read as follows:

It shall be unlawful hereafter for any railroad company or railroad companies or holding company or holding companies in this State to own, control or operate any motor truck carriers or motor bus carriers for the purpose of transporting any freight or passengers for compensation or hire as common carriers; provided, however, that railroads and motor carriers shall have the authority to deliver consignments from the termini points to the consignee and passengers to their

homes, within a city or town or suburban territory, and they may also, with a permit from the Commission, for which no fee shall be paid, transport persons or property from one point on their routs to a point on a route of another carrier, where no transfer charge is made except as a part of the passenger fare or freight charge. Provided, further, that any such railroad company or companies shall have two (2) years from the effective date herein within which to dispose of all trucks, buses, franchises, and all other equipment and all other property owned in connection therewith. Provided further, that at any time before the expiration thereof, if upon application and hearing it be made to appear to said Commission that said property can not be disposed of at its reasonable market value, then, and in that event, an extension may be granted by the Commission within which to sell the same, and provided further, that not more than two (2) extensions shall be granted to any one railroad company, which shall be for such time as said Commission may deem reasonable and proper.

PARRISH.

The amendment was read.

Senator Holbrook raised the point of order that the same amendment had previously been offered to this bill and lost.

The Chair overruled the point of order.

The amendment was lost by the following vote:

Yeas—12.

Cunningham.	Poage.
DeBerry.	Purl.
Greer.	Rawlings.
Loy.	Small.
Oneal.	Williamson.
Parrish.	Woodruff.

Nays—17.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Patton.
Gainer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Woodul.
Martin.	Woodward.
Moore.	

(Pair Recorded.)

Senator Hornsby (present) who would vote yea, with Senator Pollard (absent) who would vote nay.

Senator Oneal sent up the following amendment:

Amend H. B. No. 336 by adding between Section 5 and Section 6 of said bill a section to be known as Section No. 5a, to read as follows:

"For the purpose of lessening the losses to many persons who have investments, directly or indirectly, in commercial motor vehicles which are now being lawfully operated on the highways of Texas under the laws as they now exist, but which, under the terms of this Act, it will be unlawful to operate upon said highways at a profit to the operator unless provision is herein made for such operating, it is hereby provided that any motor vehicles which was duly registered and licensed and otherwise lawfully authorized to be operated upon the highways of Texas on April 25th, 1931, and which is of no greater length and no greater width than is prescribed by this Act, may, within the discretion of the Commission, for a period of two (2) years from the date that this Act takes effect, be permitted and authorized to be operated upon said highways; and the Commission is hereby authorized and empowered to fix such maximum load limits in excess of maximum load limits provided in other sections of this Act, but not in excess of 10,000 pounds, as will permit said commercial motor vehicles to be operated at a profit to the owners or operators thereof."

Provided that the inclusion of this section within this Act shall not for any reason invalidate this Act, but that it is the intention of the Legislature to make this Act valid and constitutional and should this Section 6-a be of such effect as to invalidate this Act, then it is the intention of the Legislature that said Section shall be entirely disregarded, and said Act shall be held and construed as if this Section were not included in the Act.

ONEAL.

The amendment was read.

On motion of Senator Small, a call of the Senate was ordered for the purpose of maintaining a quorum

until this bill was disposed of.

Senator Stevenson moved that the call be lifted and that the Senate recess until tomorrow morning at 10 o'clock. The motion was lost.

The pending amendment was lost by the following vote:

Yeas—10.

Berkeley.	Poage.
Cousins.	Rawlings.
Cunningham.	Small.
Gainer.	Williamson.
Oneal.	Woodruff.
Parrish.	

Nays—17.

Beck.	Neal.
DeBerry.	Parr.
Greer.	Patton.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Woodul.
Martin.	Woodward.
Moore.	

Absent.

Russek.

(Pair Recorded.)

Senator Hornsby (present) who would vote yea, with Senator Pollard (absent) who would vote nay.

Senator Oneal sent up the following amendment:

Amend H. B. No. 336 by striking out of Section 5, line 20, page 3 of the printed bill the following: "seven thousand (7,000) pounds on any such vehicle or train or combination of vehicles," and inserting in lieu thereof: "ten thousand (10,000) pounds on any such vehicle or train or combination of vehicles during the first calendar year after this Act becomes effective; and thereafter seven thousand (7,000) pounds on any such vehicle or train or combination of vehicles."

ONEAL.

Read and lost by the following vote:

Yeas—12.

Berkeley.	Oneal.
Cousins.	Parrish.
Cunningham.	Poage.
Hardin.	Rawlings.
Hornsby.	Williamson.
Loy.	Woodruff.

Nays—17.

Beck.	Parr.
DeBerry.	Patton.
Gainer.	Purl.
Greer.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Russek.

Absent—Excused.

Pollard.

Senator Purl sent up the following amendment:

Amend by adding at end of Section 5 "The State Highway Commission is hereby authorized to allow a reasonable time for carriers to comply with this Section, provided in no event shall any extension be granted for a period longer than the first day of January, 1932."

PURL.

Read and adopted by the following vote:

Yeas—19.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Poage.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Small.
Hardin.	Williamson.
Hornsby.	
Loy.	Woodruff.
Neal.	Woodward.

Nays—9.

Greer.	Parr.
Holbrook.	Patton.
Hopkins.	Stevenson.
Martin.	Woodul.
Moore.	

Absent.

Russek. Thomason.

Absent—Excused.

Pollard.

Senator Rawlings sent up the following amendments:

Amend H. B. No. 336 by adding a new section to follow Section 7(b), under Section 6, page 3, and to be inserted between lines 28 and 29,

to be known as Section—and to read as follows:

"Provided, however, that the restrictions and limitations as to length, width, height, and weight provided for in this Act shall not apply to vehicles in operation and duly registered in this State when this law goes into effect."

RAWLINGS.

The amendment was read and, on motion of Senator Holbrook, tabled.

Amend H. B. No. 336 by adding a new section following Section 7(b) under Section 6, page 3, to be inserted between the lines 28 and 29, to be known as Section 7() to read as follows:

"Provided, however, that as to all vehicles registered prior to the time this Act becomes effective that exceed the dimensions and carrying capacity provided for in this Act, the owner thereof shall have three years from the effective date of this Act in which to use and/or dispose of the same without being amenable to the provisions of this Act, but shall be governed by the statute in force regulating the same at the time they were registered."

RAWLINGS.

The amendment was read.

Senator Holbrook moved to table the amendment. The motion prevailed by the following vote:

Yeas—18.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Martin.	Woodul.
Neal.	Woodward.

Nays—9.

Cousins.	Oneal.
Cunningham.	Rawlings.
Hardin.	Small.
Loy.	Williamson.
Moore.	Woodruff.

Absent.

Russek.

(Pair Recorded.)

Senator Hornsby (present) who would vote nay, with Senator Pollard (absent) who would vote yea.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 336 by adding a new section following Section 7(b) under Section 6, page 3, to be inserted between lines 28 and 29, to be known as Section 7(), and to read as follows:

"Provided, however, that all vehicles duly registered in the State of Texas at the time this Act becomes effective, which can not be lawfully operated under the terms of this Act, the owner thereof shall be reimbursed by the State of Texas for their reasonable market value, and the Highway Commission is hereby authorized, ordered, and directed to pay to such owner the value thereof when it shall be made to appear that said vehicle can not be lawfully operated on the highways of this State, and such sum as is necessary to pay for said property so confiscated is hereby appropriated."

RAWLINGS.

The amendment was read.

Senator Holbrook moved to table the amendment.

On motion of Senator Small, the previous question was ordered on all amendments now on the Secretary's desk and the further consideration of the bill.

The motion to table the amendment prevailed.

The Chair laid before the Senate the following amendments:

Amend H. B. No. 336 by adding a new section following Section 7(b) under Section 6, page 3, to be inserted between lines 28 and 29, to be known as Section 7(), and to read as follows:

"Provided, however, that for all vehicles which can not be lawfully operated under the terms of this Act the unused portion of the highway license fee paid thereon, for the year 1931 shall be repaid forthwith to the owner thereof by the Highway Commission, and such sum of money as is necessary to pay the same is hereby appropriated."

RAWLINGS.

Read and lost.

Amend H. B. No. 336, page 4, by adding between lines 29 and 30 a new section to be known as Section 15(c) to read as follows:

"Provided that any person who has a valid claim for property that

has been confiscated under the terms of this Act is hereby given the right to sue the State of Texas in the District Court of Travis County, Texas, or any court of jurisdiction."

RAWLINGS.

Read and lost by the following vote:

Yeas—8.

Cousins.	Oneal.
Cunningham.	Rawlings.
DeBerry.	Williamson.
Hornsby.	Woodruff.

Nays—21.

Beck.	Parr.
Berkeley.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Purl.
Holbrook.	Small.
Hopkins.	Stevenson.
Loy.	Thomason.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Russek.

Absent—Excused.

Pollard.

Amend H. B. No. 336 by striking out line 20, page 3, and inserting in lieu thereof the following: "3,500 pounds on any such vehicle singly or 7,000 pounds of a train or combination of vehicles."

RAWLINGS.

Read and lost by the following vote:

Yeas—4.

Cousins.	Hornsby.
Cunningham.	Rawlings.

Nays—25.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent.

Russek.

Absent—Excused.

Pollard.

Amend H. B. No. 336 by striking out all of line 19, Section 5, after the word "with" and the figures "seven (7,000) thousand," in line 20, and insert in lieu thereof the following: "A gross load not exceeding fifteen thousand (15,000) pounds," and strike out the word commercial" in line 1 of Section 5.

DeBERRY.

Read and lost by the following vote:

Yeas—10.

Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Hornsby.	Rawlings.
Loy.	Woodruff.

Nays—18.

Beck.	Oneal.
Berkeley.	Parr.
Gainer.	Patton.
Greer.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Hardin. Russek.

Absent—Excused.

Pollard.

Amend H. B. No. 336 by adding a new section to be known as Section No. 9a, following sections to change numbers accordingly and to read as follows:

Sec. 15(c). "It shall be unlawful hereafter for any railroad company or railroad companies or holding company or holding companies in this State to own, control or operate any motor truck carriers for the purpose of transporting any freight for compensation or hire as common carriers, provided, however, that railroads and motor carriers shall have the authority to deliver consignments from the termini points to the consignee within a city or town or suburban territory; provided, however, that any such railroad company or

railroad companies shall have two (2) years from the effective date herein within which to dispose of all trucks, truck franchises, and all other truck equipment and all other property owned in connection therewith. Provided further, that at any time before the expiration thereof, if upon application and hearing, to the Railroad Commission of Texas, it be made to appear to said commission that said property can not be disposed of at its reasonable market value, then, and in that event, an extension may be granted by the commission within which to sell the same, and provided further, that not more than two (2) extensions shall be granted to any one railroad company, which shall be for such time as the said Commission may deem reasonable and proper."

SMALL.

The amendment was read.

Senator Holbrook raised the point of order that the same amendment had previously been lost.

Senator Holbrook withdrew the point of order.

Senator Woodruff renewed the point of order.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Holbrook raised the point of order that it was out of order for Senator Small to speak on personal privilege after the previous question had been ordered.

Senator Holbrook moved that the Chair be directed to rule on the point of order. The motion failed to receive the proper seconding.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

The pending amendment (by Senator Small) was lost by the following vote:

Yeas—14.

Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Greer.	Rawlings.
Hornsby.	Small.
Loy.	Williamson.
Oneal.	Woodruff.

Nays—15.

Beck.	Gainer.
Cousins.	Hardin.

Holbrook.	Patton.
Hopkins.	Stevenson.
Martin.	Thomason.
Moore.	Woodul.
Neal.	Woodward.
Parr.	

Absent.

Russek.

Absent—Excused.

Pollard.

The bill passed to third reading by the following vote:

Yeas—24.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Small.
Hopkins.	Stevenson.
Loy.	Thomason.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Nays—5.

Cunningham.	Williamson.
Holbrook.	Woodruff.
Rawlings.	

Absent.

Russek.

(Pair Recorded.)

Senator Hornsby (present) who would vote nay, with Senator Pollard (absent) who would vote yea.

On motion of Senator Woodul, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 336 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Purl.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Woodul.
Loy.	Woodward.

Nays—5.

Oneal.	Williamson.
Poage.	Woodruff.
Rawlings.	

Absent.

Russek.

Absent—Excused.

Pollard.

Read third time.

Senator Poage moved to adjourn until tomorrow morning at 10 o'clock. The motion was lost.

On motion of Senator Cousins the call of the Senate was lifted.

Senator Woodruff called for a full reading of the bill.

On motion of Senator Purl, the full reading of the bill was dispensed with.

The bill was finally passed by the following vote:

Yeas—22.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Small.
Hopkins.	Stevenson.
Loy.	Thomason.
Martin.	Woodul.
Moore.	Woodward.

Nays—6.

Cunningham.	Rawlings.
Holbrook.	Williamson.
Hornsby.	Woodruff.

Absent.

Russek.

Absent—Excused.

Oneal.

Pollard.

REASON FOR VOTE.

I vote yea on H. B. No. 336 not because I think it either right or fair for I know it is not, but it looks as if this is the only legislation on this important subject we can pass at this session, and the people want some kind of regulation on trucks and buses, and this bill will help some.

LOY.

REASON FOR VOTE.

I vote "no" on H. B. 336 for the adoption of the Small and Purl amendments makes certain the destruction of the highways in Texas if the bill as amended becomes a law. Trucks without limitation as to size, weight, or length are by these amendments turned loose upon the roads without any limitations whatever.

HOLBROOK.

REASON FOR VOTE ON H. B. 336.

I vote "no" on the bill for the reason that as amended it is an incongruous mass of contradictory provisions, impracticable and unworkable. I favor reasonable regulation of motor vehicles but this bill fails to accomplish it.

WOODRUFF.

Adjournment.

On motion of Senator Berkeley, the Senate, at 7:26 o'clock p. m., adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

SENATE CHAMBER
Forty-second Legislature
Austin

May 1, 1931.

Hon. Edgar E. Witt, President of the Senate, Austin, Texas.

Dear Governor: The West Texas Chamber of Commerce will hold its annual convention in Lubbock, Texas, on May 14th, 15th and 16th.

This organization is one of the leading institutions devoted to the advancement of West Texas and all of the State, and this convention will be the outstanding event of its year of work, and one of the greatest and most important gatherings held in the State of Texas during the year of 1931.

There will be considered at this convention many important questions of Statewide importance, including many matters affecting legislation and the policy of the State Government.

The Honorable Ross S. Sterling, Governor of the State of Texas, will be in attendance at said convention, and will deliver an address.

The citizens of West Texas, and of the city of Lubbock, where said convention is to be held, would feel highly honored to have as their guests in attendance at said convention, both the Lieutenant-Governor and the Members of the State Senate of Texas.

The citizens of Lubbock, and of West Texas, trust that you will find it convenient to be with them on this outstanding occasion.

Cordially,

PINK L. PARRISH,
Senator 30th Senatorial District.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, May 1, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 153 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 1, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 44 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 1, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 43 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 1A, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 41 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 30, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 359 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, April 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 609 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 582 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 481 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 1, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 614 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 1, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 241, A bill to be entitled "An Act making an appropriation to reimburse persons, firms, and corporations for losses sustained during the years of 1929 and 1930 by reason of the establishment by the State of Texas of regulated and restricted zones in certain areas of the State requiring such persons, firms, and corporations to pay money for

the sterilization of seed and the fumigation of cotton; all of which was done to prevent the spread of the pink boll worm; also to pay expenses which may be incurred by the Compensation Claim Board in carrying out the purposes of this Act; providing that the certificate of the Chairman of the Board, approved by the State Commissioner of Agriculture, shall be sufficient evidence to the Comptroller from which he shall audit the claims of persons, firms, and corporations, and members of the Compensation Claim Board for the issuance of warrants to cover the respective amounts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BECK, Chairman.

Committee Room,
Austin, Texas, May 1, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 614, A bill to be entitled "An Act making an appropriation out of the general revenue of the State of Texas, not otherwise appropriated, as an emergency to continue the work of tuberculin tests of cattle, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,
Austin, Texas, May 1, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 150, A bill to be entitled "An Act amending Article 6204, Revised Civil Statutes of 1925, as amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments.

MOORE, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 150, page 4, line 19, by striking out all of said line after the word "States," and all of lines 20 and 21, and all of line 22 including the figures "1875," and insert the following: "and to widows who have not heretofore received a pension and who were married to such soldiers prior to January 1st, 1912."

Committee Amendment No. 2.

Amend H. B. No. 150, Section amending Article 6205, by striking out the word "ten" and figure "10" wherever the same occurs in this paragraph, and insert in lieu thereof the word "five" and the figure "5."

Committee Amendment No. 3.

Amend H. B. No. 150, page 4, line 9, by striking out the figures "1921" and insert in lieu thereof the figures "1912."

Committee Amendment No. 4.

Amend H. B. No. 150, page 7, Section amending Article 6208, by striking out the following, beginning in line 1 and ending in line 4: "Applicants who meet with all other requirements necessary and whose tax valuations in this State or any other State do not exceed Three Thousand (\$3,000.00) Dollars shall be eligible to this pension.", and also by striking out the following provisions beginning with the word "canceled" in line 16 to-wit:

"No person owning property of the taxable value of more than Three Thousand (\$3,000.00) Dollars at the time of their application for such pension, or thereafter acquired, shall be entitled to a pension under the provisions of this Act, and if at the time, the Comptroller shall determine that any pensioner on the roll is possessed of property of the taxable value of more than Three Thousand (\$3,000.00), such payments shall be discontinued and said application canceled."

Committee Room,

Austin, Texas, May 1, 1931.

Hon. Edgar E. Witt, President of the Senate.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil

Jurisprudence, to whom was referred H. B. No. 406, A bill to be entitled "An Act to amend Article 5924 Revised Statutes, 1925, relating to assumed names, making it unlawful for an individual to use a corporate name, imposing other conditions upon the use of assumed names and providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

SIXTY-FOURTH DAY.

Senate Chamber,

Austin, Texas,

May 2, 1931.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Woodruff.
Loy.	Woodul.
Martin.	Woodward.
Moore.	Neal.

Absent—Excused.

Patton.
Pollard.

Williamson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)